IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39500 of 2008
DR.KISHORE HARBADA @ KISHORE HARBARA,
Son of late Shivji Harbada, resident of house no.240/07, Road No.15, Jawahar Nagar, Goregaon (W) Mumbai-62
Versus
STATE OF BIHAR THRU. CBI.
WITH
Cr.Misc. No.39498 of 2008
KRISHNA PUROHIT,
Son of late Gauri Shankar Purohit, resident of House No.106/110 Gorai Chorkhop, Link Road Borivali (W) Mumbai-91.
Versus
STATE OF BIHAR THRU. CBI.
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3. 23.10.2008 The F.I.R. was lodged under Section 420 and other Sections of the Indian Penal Code as well as 13(2), 13(1)(d) of Prevention of Corruption Act against seven accused persons, namely, co-accused O. P. Nautiyal, the Director of M/s. Merigold Laboratory Ltd. And six others of the Company as well as the Manager and other officials of I.D.B.I., Patna and also some unknown persons with the allegation that officials of the I.D.B.I. in collusion with the Director of Merigold Laboratory Ltd. disbursed a loan of Rs.485 laks on the basis of forged and fabricated papers as well as without actual verifying that any actual project work had not been done as per project scheme submitted for sanctioning of loan.

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The learned counsel for the petitioners submits that the two petitioners are not named in the F.I.R. It is also submitted that the petitioners are not in the Management of the concerned Company of M/s. Merigold Laboratory Ltd. to whom the loan was granted nor these accused persons had obtained loan directly from the bank. The learned counsel submits that the two petitioners have been implicated on the ground that they were concerned with other Companies which

was the supplier to the main accused O. P. Nautiyal and that they had received payments for their supply from O. P. Nautiyal. The learned counsel for the petitioners further submits that co-accused O.P. Nautiyal the main accused, has been allowed bail by a Bench of this Court vide order dated 16.10.2008 passed in Cr. Misc. No. 34936 of 2008 and the case of the petitioners stand on better footing.

The learned counsel also submits that the petitioners are in custody since 23.4.2008.

Mr. Bipin Kumar Sinha, the learned standing counsel for the C.B.I. does not point out any other material against the petitioners.

In the facts and circumstances of the case, the petitioners, namely, Dr. Kishore Harbada @ Kishore Harbara and Krishna purohit are admitted to bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Special Judge, CBI (South Bihar), Patna, in Special Case No.23 of 2006, arising out of R.C.No. 03(E)/07.

(C.M. Prasad, J.)

Ravi/-

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